

Gordon & Rees LLP  
275 Battery Street, Suite 2000  
San Francisco, CA 94111

DONALD W. REES (SBN 34329)  
[drees@gordonrees.com](mailto:drees@gordonrees.com)  
LESLIE K. CRARY (SBN 148260)  
[lcrary@gordonrees.com](mailto:lcrary@gordonrees.com)  
GORDON & REES LLP  
Embarcadero Center West  
275 Battery Street, Suite 2000  
San Francisco, CA 94111  
Telephone: (415) 986-5900  
Facsimile: (415) 986-8054

Attorneys for Defendants  
PRUCO LIFE INSURANCE COMPANY and  
THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

NICHOLAS PASTORE (SBN 104776)  
[npastore@campbellwarburton.com](mailto:npastore@campbellwarburton.com)  
LISA JEONG CUMMINS (SBN 118087)  
[lcummins@campbellwarburton.com](mailto:lcummins@campbellwarburton.com)  
CAMPBELL, WARBURTON, FITZSIMMONS  
SMITH, MENDEL & PASTORE  
64 West Santa Clara Street  
San Jose, CA 95113  
Telephone: (408) 295-7701  
Facsimile: (408) 295-1423

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

YUPEI TIAN,	)	CASE NO. C07 04343 JW
	)	
Plaintiff,	)	<b>STIPULATION AND [PROPOSED]</b>
	)	<b>ORDER RE: VOLUNTARY DISMISSAL</b>
vs.	)	<b>WITH PREJUDICE</b>
	)	<b>[FED. R. CIV. R. 41]</b>
PRUCO LIFE INSURANCE COMPANY,	)	
THE PRUDENTIAL INSURANCE	)	
COMPANY OF AMERICA, and DOES 1-20	)	
through 20, inclusive,	)	
	)	
Defendants.	)	
	)	

Pursuant to Rule 41 of the Federal Rules of Civil Procedure and the Confidential  
Settlement Agreement reached by and between the parties identified herein, the undersigned,

counsel of record for plaintiff YUPEI TIAN, and defendants PRUCO LIFE INSURANCE COMPANY and THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, respectively, do hereby AGREE and STIPULATE that the above-captioned case be dismissed, in its entirety, with prejudice. Each party shall bear its own attorneys' fees and costs.

**IT IS SO STIPULATED.**

DATED: August 15, 2008

CAMPBELL, Warburton, Fitzsimmons,  
Smith, Mendell & Pastore

By: \_\_\_\_\_/s/

NICHOLAS PASTORE

Attorneys for Plaintiff

YUPEI TIAN

DATED: August 15, 2008

GORDON & REES LLP

By: \_\_\_\_\_/s/

LESLIE K. CRARY

ATTORNEYS for Defendants

PRUCO LIFE INSURANCE COMPANY and THE  
PRUDENTIAL INSURANCE COMPANY OF  
AMERICA

I, LESLIE K. CRARY, hereby attest that NICHOLAS PASTORE, counsel for Plaintiff, concurs in the filing of this stipulation.

DATED: August 15, 2008

By: \_\_\_\_\_/s/

LESLIE K. CRARY

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_, 2008

\_\_\_\_\_  
United States District Court Judge